UNITED STATES DISTRICT COURT DISTRICT OF NEW JERSEY

SHAWN LENAHAN, et al., : Civil Action No. 02-45 (SRC)

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Plaintiffs,

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v. : ORDER

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SEARS, ROEBUCK and CO.,

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Defendant.

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This matter having been opened to Court upon Motion by James Katz, Esq., counsel for applicants for intervention Dean Winter, et al., for an Order allowing Martin S. Garfinkel, Esq., Adam J. Berger, Esq., James Cirilano, Esq. and Michael J. Bruzzese, Esq. to appear and participate *pro hac vice* [Docket Entry # 96]; and the Court finding that the underlying Motion to Intervene by Mr. Katz was denied by Order of United States District Judge Stanley R. Chesler dated November 17, 2005; and the Court having considered this matter pursuant to FED.R.CIV.P. 78, and for good cause shown,

IT IS on this 2nd day of December, 2005,

ORDERED that the Motion for *Pro Hac Vice* by Mr. Katz [Docket Entry #96] is DISMISSED AS MOOT.

s/Tonianne J. Bongiovanni

HONORABLE TONIANNE J. BONGIOVANNI UNITED STATES MAGISTRATE JUDGE